

R E M A R K S

[I] Restriction Requirement

The Examiner has restricted the claims into the following inventions under 35 U.S.C. 121:

I. Claims 1-10, drawn to a polymer gel electrolyte, classified in class 252, subclass 62.2.

II. Claims 11-13, drawn to a secondary battery, classified in class 429, subclass 300.

III. Claims 14-15, drawn to a double layer capacitor, classified in class 36, subclass 502.

Applicants elect Group I, consisting of claims 1-10, drawn to a polymer gel electrolyte, with traverse.

According to MPEP §803, if the search and examination of an entire application can be made without a serious burden, the Examiner *must* examine it on the merits, even though it includes claims to independent or distinct inventions. As evidence of the undue burden, the Examiner has listed a single class/subclass to be searched for each of Groups I-III.

Clearly, the search of two extra subclasses would not amount to an undue burden on the Examiner to consider all of claims 1-15. As such, Applicants respectfully request that the Examiner rejoins Groups II and III with Group I.

[II] Election of Species

The Examiner has also imposed an Election of Species Requirement.

(A) The Examiner requests that Applicants elect a species of the plasticizer of Formula (1) as defined in claim 3. Applicants elect, with traverse, a single radical for each of variables R¹, R², R³, R⁴ and X which are found in the plasticizer of Example 1 and are as follows:

$$R^1 = C_2H_5, \quad R^2 = C_2H_5, \quad R^3 = C_2H_4, \quad m=1, \quad k=0, \quad n=0, \quad p=1.$$

Since k = 0, the value of X is a nullity for the elected species.

(B) Claim 7 further defines the materials included in the interpenetrating network structure or semi-interpenetrating network structure. The Examiner requests that Applicants elect one of: (a) hydroxyalkyl poly-saccharide derivative; (b) a polyvinyl alcohol

derivative; or (c) a polyglycidol derivative in combination with a cross-linkable function group-bearing compound.

Applicants elect, with traverse, (a) hydroxyalkyl polysaccharide derivative.

(C) Claims 8 and 9 define the matrix polymer. The Examiner requests that Applicants elect from one of the thermoplastic resin of claim 8 or the fluoropolymer material of claim 9.

In response, Applicants elect, with traverse, the thermoplastic resin of claim 8, specifically the resin described in Synthesis Example 5.

Applicants respectfully remind the Examiner that should the Examiner not find prior art, which renders the elected species unpatentable, the Examiner is required to expand the search to include a reasonable number of additional species. (See MPEP 809.02). Applicants respectfully submit that the scope of claim 1, includes a reasonable number of additional species for searching/examination purposes.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact **Garth M. Dahlen, Ph.D., Esq.** (Reg. No. 43,575) at the telephone number of the undersigned below.

Appl. No. 10/002,171

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 

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